REMARKS/ARGUMENTS

Reconsideration and allowance of this application are respectfully requested.

Currently, claims 14, 16-21 and 23-34 are pending in this application.

Rejection Under 35 U.S.C. §103

Claims 14, 16-21 and 23-34 were rejected under 35 U.S.C. §103 as allegedly

being unpatentable over the three-way combination of Bonjour et al (hereinafter

"Bonjour") in view of Lee et al (hereinafter "Lee"), and further in view of Zhu.

Applicant respectfully traverses this rejection.

Independent claims 14, 20-21, 27-28 and 32

In order to establish a *prima facie* case of obviousness, all of the claim limitations

must be taught or suggested by the prior art. The combination of Bonjour, Lee and Zhu

fails to teach or suggest all of the claim limitations. For example, the combination fails to

teach or suggest "the URL comprising a circuit-switched identifier part identifying a

resource as being accessible via a circuit-switched network, an address part comprising

the address of the resource, and a service parameter part, wherein it is the circuit-

switched identifier part which identifies the specific type of circuit switched network via

which the resource is accessible, the service parameter part determines parameters of a

connection in the specific type of circuit switched network identified by the circuit-

switched identifier part to the resource, and the uniform resource locator has the format:

<circuit-switched identifier part>://<service parameter part>*<address part>

where * is a predetermined separator character," as required by independent claim 14.

Similar comments apply to independent claims 20, 21 and 27. The combination also fails

to teach or suggest "a) reading a uniform resource locator (URL), the URL comprising a

circuit-switched identifier part identifying a resource as being accessible via a circuit-switched network, an address part comprising the address of the resource, and a service parameter part, wherein it is the circuit-switched identifier part which identifies the specific type of circuit switched network via which the resource is accessible and the uniform resource locator has the format:

<circuit-switched identifier part>://<service parameter part>*<address part>

where * is a predetermined separator character; and b) subsequently establishing a connection, in the specific type of circuit switched network identified by the circuit-switched identifier part, between the customer terminal and the resource, the connection having properties determined at least in part by one or more parameters contained in the service parameter part," as required by independent claim 28. Similar comments apply to independent claim 32.

Applicant notes that the Examiner previously indicated in the Office Action dated September 21, 2006 that the uniform resource locator (URL) having the format:

<circuit-switched identifier part>://<service parameter part>*<address part>

where * is a predetermined separator character constituted allowable subject matter. However, the latest Office Actions indicate a changed position. For example, the outstanding Office Action indicates that this claimed URL format and other claim limitations are "obvious" over the three-way combination of Bonjour, Lee and Zhu. Applicant submits that the Examiner's initial position, namely that the uniform resource locator has the format:

<circuit-switched identifier part>://<service parameter part>*<address part>

where * is a predetermined separator character, along with the other claim limitations

constituted allowable subject matter, is the correct position for at least the reasons

discussed below.

Bonjour reference was merely cited in the International Search Report of

corresponding International application no. PCT/GB99/03834 as category "A" (document

defining the general state of the art which is not considered to be of particular relevance).

For the reasons discussed below, Lee and Zhu fail to resolve the following admitted

deficiency of Bonjour (see page 4, lines 4-7 of the Office Action):

> "Bonjour did not expressly disclose the URL comprising a circuit-
> switched identifier part identifying a resource as being available via
> the circuit-switched network, an address part comprising the address
> of the resource, and a service parameter part, wherein it is the circuit-
> switched identifier part which identifies the specific type of circuit
> switched network via which the resource is accessible."

Again, Lee and Zhu fail to resolve this admitted deficiency of Bonjour. The

Response to Arguments section (page 2) of the Office Action states "It•is (*sic*) been said

in the office action date back in 03/20/07 that LEE, for instance, disclosed the format:

<identifier part>//<service identifier part>*<address part> where *is a predetermined

separator character.... The differences between Lee and the instant application is that, as

indicated before, a circuit switched network is being implemented and URL is being

utilized in the circuit switched network environment rather than *a conventional packet*

switched network environment as indicated by Lee (emphasis added)." (See bottom of

page 2 of the Office Action.) This admission on page 2 of the Office Action that Lee

discloses a conventional packet switched network environment **contradicts** the Office

Action's later statement on page 4, line 8 *et seq.* that "Lee discloses the URL comprising,

an address part comprising the address of the resource (refer to page 4, section 2.3 and

<address part>, page 9), and a service parameter part, *wherein it is the circuit-switched identifier part which identifies the specific type of circuit switched network* via which the resource is accessible (<host<a>, refer to page 9) (emphasis added)."[1]

Applicant further notes that there is no Office Action dated "03/20/07" as indicated by the current outstanding Office Action. Clarification is therefore respectfully requested.

As apparently admitted by page 2, last paragraph and page 4, lines 17 *et seq.* of the Office Action and as can be seen from a reading of Lee, Lee fails to disclose operations in a <u>circuit-switched network.</u> The complete URL disclosed in page 9 of Lee is "http://<Host<a>>:....." The part <Host<a>> is thus scheme dependent information of scheme http, a protocol which is suitable for use in relation to <u>packet-switched networks (as opposed to circuit-switched networks).</u> Since Lee does not relate to operations in circuit-switched networks, Lee does not teach or suggest a circuit-switched identifier part which identifies a specific type of circuit-switched network via which a resource is accessible, or a <u>service parameter part</u> that determines parameters of a connection in the specific type of *circuit switched network identified by the circuit-switched identifier part* as further required by claim 14 or "establishing a connection, in the *specific type of circuit switched network identified by the circuit-switched identifier part,* between the customer terminal and the resource, the connection having properties determined at least

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[1] Page 4, lines 8 *et seq.* of the Office Action stating "Lee discloses the URL comprising, an address part comprising the address of the resource (refer to page 4, section 2.3 and <address part>, page 9), and a service parameter part, *wherein it is the circuit-switched identifier part which identifies the specific type of circuit switched network* via which the resource is accessible (<host<a>, refer to page 9) (emphasis added)" also contradicts the statement on page 4, lines 17 *et seq.* of the Office Action stating "Both Bonjour and Lee did <u>not</u> expressly disclose the URL comprising a *circuit switch identifier part* (emphasis added)."

in part by one or more parameters contained in the <u>service parameter part</u> (emphasis added)," as required by claim 28.

In addition to the HTTP protocol identified by Lee on page 9, Lee elsewhere specifically refers to FTP, MAILTO and various other protocols. However, each of these protocols is specifically designed for, and only suitable for use in, <u>packet-switched networks</u>. None of the protocols referred to in Lee have any relevance in relation to <u>circuit-switched networks</u>. Accordingly, Lee fails to resolve the admitted deficiencies of Bonjour. Lee simply makes no reference to using URLs to establish connections in a circuit switched network, such as an ATM network.

Moreover, since Lee only discloses the use of packet-switched networks, Lee <u>teaches away</u> from claimed invention requiring a <u>circuit-switched</u> identifier part of a uniform resource locator, the part identifying the specific type of circuit-switched network via which a resource is accessible. Lee does not disclose a URL comprising a circuit-switched identifier part and/or a service parameter part which determines connection parameters in the specific type of *circuit switched network* identified by the circuit-switched identifier part, as alleged on page 4, line 8 *et seq.* of the Office Action. The alleged motivation for combining Bonjour and Lee ("utilizing the URL and benefit of internet can adapted by the end user to whom they are already familiar with the internet technology, furthermore, it can take advantages of all the ATM network capabilities") indicated on page 4, lines 14 *et seq.* of the Office Action is clearly based on improper hindsight reasoning as Lee teaches away from circuit-switched networks.

The combination of Bonjour, Lee and Zhu therefore fails to comply with any of

the necessary "Rationales To Support Rejections Under 35 U.S.C 103" set forth in the

Examination Guidelines for Determining Obviousness Under 35 U.S.C. 103 in View of

the Supreme Court Decision in *KSR International Co. v. Teleflex Inc.* (See Federal

Register Vol. 72, No. 195 dated October 10, 2007 [docket no.: PTO-P-2007-0031]. For

example, with respect to rationale A of the Guidelines: Combining prior art elements

according to known methods to yield predictable results, this rationale is not satisfied

since the Office Action has not only merely used a mosaic of three different documents to

reject the independent claims, but has even needed to combine at least two of the cited

references in order to allege a teaching or suggestion of one specific claim limitation

(namely, the URL having the format <circuit-switched identifier part>://<service

parameter part>*<address part> where * is a predetermined separator character). None

of the individual prior art references alone or in combination teaches or suggests this

feature. Moreover, as noted above, Lee actually teaches away from the combination

proposed by the Office Action. Since none of the protocols referred to in Lee have any

relevance to circuit-switch networks, Applicant submits that one of ordinary skill in the

art would not have recognized any result involving a circuit switched network as being

predictable. As another example, rationale G of the Guidelines: Some teaching,

suggestion or motivation in the prior art that would have lead one of ordinary skill to

modify the prior art reference or to combine prior art reference teachings to arrive at the

claimed invention is clearly not met. For example, Applicant submits that there is no

teaching, suggestion or motivation to combine the three references of Bonjour, Lee and

Zhu to teach or suggest the claimed limitation of a uniform resource locator having the

format:

<circuit-switched identifier part>://<service parameter part>*<address part> where * is a predetermined separator character, as apparently alleged by the Office Action. As noted above, Lee's explicit and exclusive disclosure of packet-switched networks teaches away from a <u>circuit-switched</u> identifier part.

Zhu merely discloses using URLs for replacing telephone or fax numbers (e.g., "SIP://4711234.512.1.tel"). It appears that there is no information or part needed beyond those portions of Zhu's URL for establishing a call between the internet and telephone network. Applicant thus submits that the combination of Zhu's parts with other information is clearly based on hindsight reasoning. Indeed, the only teaching of the URL having the above claimed format is Applicant's own disclosure.

Zhu's teaching of using URLs for replacing telephone or fax numbers fails to disclose **service parameter parts** <u>which determine parameters of a connection in a</u> <u>specific type of circuit switch network identified by the circuit-switch identifier part</u> to the resource. Any allegation to the contrary is clearly based improperly on Applicant's own disclosure. For example, "SIP://4711234.512.1.tel" does not disclose and service parameter parts as claimed.

<u>Dependent claims 18-19 and 25-26</u>

With respect to dependent claims 18, 19, 25 and 26, page 4 of the Office Action admits that "Bonjour did not expressly disclose the URL comprising…and a service parameter part." Based on this clear and explicit admission, Bonjour cannot possibly disclose or suggest a service parameter part of a URL indicating a connection topology

(as required by claims 18 and 25) or a connection bandwidth (as required by claims 19 and 26) as alleged on page 6 of the Office Action. That is, since Bonjour admittedly fails to disclose a service parameter part of a URL, Bonjour also fails to disclose a service parameter part of a URL indicating a connection topology or bandwidth. The Office Action's admission that Bonjour does not disclose a URL comprising a service parameter part <u>contradicts</u> the Office Action's later allegation that Bonjour discloses a service parameter part of the URL indicating a connection topology (claims 18 and 25) or a connection bandwidth (claims 19 and 26). Applicant therefore respectfully requests that the next Office Action clarify this contradiction. The outstanding Office Action fails to address these previously presented arguments.

Accordingly, Applicant requests that the rejection of claims 14-34 under 35 U.S.C. §103 over the <u>three</u>-way combination of Bonjour, Lee and Zhu be withdrawn.
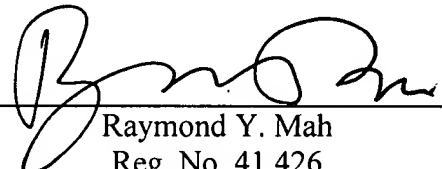
Conclusion:

Applicant believes that this entire application is in condition for allowance and

respectfully requests a notice to this effect. If the Examiner has any questions or believes

that an interview would further prosecution of this application, the Examiner is invited to

telephone the undersigned.

Respectfully submitted,

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